



Agenda Date: 1/31/2006
Agenda Placement: 9A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Janet McCoy - Director
Library
REPORT BY: Janet McCoy, Library Director, 253-4208
SUBJECT: Adoption of Confidentiality of Library Records Policy

RECOMMENDATION

Library Director requests adoption of the "Confidentiality of Library Records" policy to affirm the Library's dedication to the principles of confidentiality of library customer records and expectation of privacy when using library materials, and to identify those limited circumstances under which information regarding a customer's use of the Library will be released to third parties.

EXECUTIVE SUMMARY

This proposed policy clarifies the library's responsibility to maintain confidentiality of library customer records based on State of California Library Law and addresses Federal Law related to the PATRIOT Act. It outlines the required response for staff when records are requested.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

This is a new policy, the purpose of which is to clarify the library's responsibility to maintain confidentiality of library customer records based on State of California Library Law and addresses Federal Law related to the PATRIOT Act. It outlines the required response for staff when records are requested.

The library occasionally receives requests from law enforcement for library records of a named individual. Although we have informed staff of California's law regarding confidentiality of circulation records, the occurrence is so seldom that it seemed advisable to clarify it on paper as a policy statement. In addition, the US PATRIOT ACT imposes other requirements that needed to be documented. The section about the PATRIOT ACT is strictly factual, and includes no language in support or in opposition to the Act.

In developing this policy, library administration reviewed confidentiality policies of other libraries, including San Jose Library in California, Naperville Public Library in Illinois (highly regarded as a model of library services), and sample policy statements and on the American Library Association web site.

County Counsel reviewed, revised and approved this proposed policy on December 19, 2005.

The Library Commission reviewed and approved this proposed policy on January 9, 2006.

SUPPORTING DOCUMENTS

A . Library Confidentiality Policy

CEO Recommendation: Approve

Reviewed By: Maiko Klieman